

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Mailed: 5/16/05

dss
Paper Number

In re application of
E. Hebert et al.
Serial No. 09/274,015
Filed: March 22, 1999
For: MULTILAYER GOLF BALL WITH A THIN
THERMOSET OUTERLAYER

DECISION ON
PETITION

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181, filed November 04, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment mailed October 27, 2004, for failure to timely file a proper reply to the Office letter mailed March 12, 2003 be withdrawn since the applicants did timely file a reply on May 30, 2003. (Copies of the papers filed May 30, 2003 are attached to the instant petition as well as a copy of the USPTO date stamped postcard receipt.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's reply was properly filed on May 30, 2003 as evidenced by the USPTO date stamped return receipt postcard indicating receipt of the reply at the USPTO on May 30, 2003 and fees charged on May 30, 2003 for the Information Disclosure Statement submitted with the reply of May 30, 2003. Accordingly, any holding of abandonment for failure to timely file a proper reply to the Office letter mailed March 12, 2003 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for entry, processing and consideration of the reply originally filed May 30, 2003.

The Petition is **GRANTED**.



Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

Stephanie D. Scruggs
Swidler, Berlin, Shereff, Friedman, LLP
3000 K Street NW, Suite 300
Washington, DC 20007